

JAN 30 2013

JULIA C. DUDLEY, CLERK  
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**IN THE UNITED STATES DISTRICT COURT  
FOR THE WESTERN DISTRICT OF VIRGINIA  
HARRISONBURG DIVISION**

EVERETT C. KAYMORE

**Petitioner,**

**V.**

**UNITED STATES OF AMERICA**

**Respondent.**

**Criminal Case No. 5:10cr00016-1**

**2255 FINAL ORDER**

**By: Samuel G. Wilson**  
**United States District Judge**

In accordance with the memorandum opinion entered on this day, it is hereby **ORDERED** and **ADJUDGED** that the government's motion to dismiss Kaymore's motion pursuant to 28 U.S.C. § 2255 is **GRANTED**, Kaymore's motion is **DISMISSED**, and this matter is **STRICKEN** from the court's active docket. Further, finding that Kaymore has failed to make the requisite substantial showing of the denial of a constitutional right, as required by 28 U.S.C. § 2253(c), a certificate of appealability is **DENIED**.

**ENTER:** January 30, 2013.

  
UNITED STATES DISTRICT JUDGE